

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

No. 2:23-cr-0177 TLN

v.

BRADLEY EARL REGER,

Defendant,

ORDER

This matter is before the Court on Defendant Bradley Earl Reger’s (“Defendant”) Motion to Compel a Witness List. (ECF No. 72.) The Government filed an opposition (ECF No. 82.) Defendant filed a reply. (ECF No. 83.) For the reasons set forth below, the Court DENIES Defendant’s motion to compel.

On September 19, 2024, a federal grand jury returned a twelve-count Superseding Indictment charging various violations such as 18 U.S.C. § 2423(c), engaging in illicit sexual conduct in a foreign place, and 18 U.S.C. § 2423(a), transportation of a minor with intent to engage in criminal sexual activity. (ECF No. 63.) According to defense counsel, both of whom are appointed, there are 200 victims and 2,000 possible witnesses. (ECF No. 72 at 3, 6.)

1 To expedite the investigation and conserve resources, Defendant seeks an order
2 compelling the Government to produce a witness list no later than April 15, 2025. (ECF No. 72
3 at 7.) Specifically, Defendant seeks a list of the nonexpert witnesses the Government intends to
4 call at trial. (*Id.*) In opposition, the Government argues the request is premature and Defendant
5 provides no compelling reason to justify the request. (ECF No. 82 at 4.)

6 While no Federal Rule of Criminal Procedure, Local Rule, nor this Court's standing
7 Criminal Order requires the Government to produce a witness list at this stage, it is within the
8 Court's discretion to issue a witness disclosure order directed to the government. *See United*
9 *States v. W.R. Grace*, 526 F.3d 499, 509 (9th Cir. 2008). However, the Court finds the request is
10 premature. No trial date has been set for this case, and as the Government notes, this Court
11 generally orders witness lists and other trial-related documents to be filed approximately one
12 week before trial begins. *See, e.g.*, Min. Order, *United States v. Silva*, No. 22-CR-00092-TLN
13 (E.D. Cal. Dec. 5, 2024), ECF No. 28 (ordering witness lists be disclosed one week before trial);
14 Min. Order, *United States v. Robins et al.*, No. 18-CR-00024-TLN (E.D. Cal. Jan. 11, 2024), ECF
15 No. 254 (ordering witness lists be disclosed one week before trial). Moreover, even in large and
16 complex cases, courts in this district have only ordered the Government to disclose its witness
17 lists two months ahead of trial. *See, e.g.*, Prior Order, *United States v. Yandel et al.*, 19-CR-
18 00107-KJM (E.D. Cal. Dec. 6, 2023), ECF No. 1722.

19 For the foregoing reasons, the Court DENIES Defendant's motion to compel (ECF No.
20 72) without prejudice to renewal once a trial date has been set.

21 IT IS SO ORDERED.

22 DATED: February 6, 2025



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24 Troy L. Nunley
25 Chief United States District Judge
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